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China, Peoples Republic of

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H1N1 Trade Related Measures

2009

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Report Highlights:

On June 5, 2009, China notified the WTO of two notices related to trade in swine and pork products as G/SPS/N/CHN/116 and G/SPS/N/CHN/117. The two measures forbid imports of swine and swine products from Mexico and U.S. from areas where cases of A/H1N1 occurred. The measures become effective on the very date of announcements, separately April 26, 2009 and April 29, 2009. This report contains an UNOFFICIAL TRANSLATION of two measures.

Includes PSD Changes: No
Includes Trade Matrix: No
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Executive Summary

On June 5, 2009, China notified the WTO of "Joint Public Notice No. 31 of the General Administration of Quality Supervision, Inspection and Quarantine and the Ministry of Agriculture on Prevention of Mexican and U.S. Swine Influenza from Entering China" as G/SPS/N/CHN/116 and "Joint Public Notice No. 36 of the General Administration of Quality Supervision, Inspection and Quarantine and the Ministry of Agriculture on Prevention of U.S. Ohio and New York Swine Influenza from Entering China" as G/SPS/N/CHN/117. The two measures forbid direct and indirect importation swine and swine products from Mexico and U.S. and suspend the issuance of the Entry Animal and Plant Quarantine Permits for products from those places in which A/H1N1 has occurred. The measures become effective on the date of announcement, April 26, 2009 and April 29, 2009, respectively.

The States of Texas, California, and Kansas in the United States are banned in Joint Public Notice No.31 (issued on April 26, 2009) and New York State and Ohio are banned in Joint Public Notice No.36 (issued on April 29, 2009). According to Notice No.36, if new cases of human swine influenza are found in other states in the United States, newly infected states will be automatically included in the list of swine and swine product ban. Thus, due to the expansion of A/H1N1 influenza cases, all fifty U.S. states have now been effectively banned.

This report contains an UNOFFICIAL TRANSLATION of Joint Public Notice No. 31 and Joint Public Notice No. 36.

BEGIN TRANSLATION**Joint Public Notice No. 31**

**By The General Administration of Quality Supervision, Inspection and Quarantine
And The Ministry of Agriculture, of the People's Republic of China
On Prevention of Mexican and U.S. Swine Influenza from Entering China**

(April 26, 2009)

According to the notification of the World Health Organization, there have been human cases of swine influenza in Mexico, and (the states of) Texas, California, and Kansas in the United States. The disease has caused several human deaths. The virus, A-H1N1, is a newly changed swine influenza virus. It is infective to both humans and swine. In order to prevent swine influenza from entering China, to protect China's livestock safety and human health, the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) and the Ministry of Agriculture (MOA) hereby announce the following based on the Law of the People's Republic of China on Entry-Exit Animal and Plant Quarantine.

- I. Forbid direct or indirect imports of swine and swine products from Mexico or Texas, California, and Kansas in the United States. Suspend issuance of the Entry Animal and Plant Quarantine Permit for the above-mentioned places. Cancel the already issued Entry Animal and Plant Quarantine Permits for swine and swine products from) those places.
- II. All swine and swine products from Mexico or Texas, California, and Kansas in the United States shipped on and after this date of announcement shall be returned or destroyed. Shipments sent before this announcement shall be allowed into China only after swine influenza (H1N1) tests prove negative.

- III. Forbid to send by post or carry by travelers any swine or swine products from Mexico and the United States into China. Once detected, all the swine and swine products shall be returned or destroyed.
- IV. If international transportation media such as ships, airplanes or trains, which transit or call at ports in China, are found with swine or swine products from the Mexico or the United States, they will be sealed. On-board swine and pork consumed by crews themselves shall be put into unbroken containers. All trash and sewage shall be disinfected under the supervision of the Entry and Exit Inspection and Quarantine Bureau (CIQs). No discard of waste is allowed in China without permission. Transportation media from disease infected areas shall be disinfected.
- V. Illegal swine and swine products from Mexico and the United States seized by the Chinese customs or port authorities shall be destroyed under the supervision of the Entry-Exit Inspection and Quarantine Bureau(s) at entry ports.
- VI. Violators of the above-mentioned regulations shall be dealt with by the Entry-Exit Inspection and Quarantine Bureau(s) based on the Law of the People's Republic of China on Entry and Exit Animal and Plant Quarantine.
- VII. All Entry-Exit Inspection and Quarantine Bureau(s), animal disease prevention and control authorities at various levels, and animal disease supervision authorities shall coordinate closely, based on the Law of the People's Republic of China on Entry-Exit Animal and Plant Quarantine, and the law of the People's Republic of China on Animal Disease Prevention, in order to do a good job in the supervision of (animal) quarantine and (animal) disease prevention.

This announcement becomes effective on the date of announcement.

Joint Public Notice No. 36
By The General Administration of Quality Supervision, Inspection and Quarantine
And The Ministry of Agriculture, of the People's Republic of China
On Prevention of U.S. Ohio and New York Swine Influenza from Entering China

(April 29, 2009)

According to the notification of the World Health Organization on April 26, 2009, New York and Ohio State in the United States have confirmed 10 cases of human infection with A/H1N1 influenza. In order to prevent the influenza from entering China and protect China's livestock safety and human health, the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) and the Ministry of Agriculture (MOA) hereby announce the following based on the Law of the People's Republic of China on Entry-Exit Animal and Plant Quarantine.

1. Forbid direct or indirect imports of swine and swine products from the New York State and Ohio State in the United States. Suspend issuance of the Entry Animal and Plant Quarantine Permit for swine and swine imports from the New York and Ohio. Cancel the already issued Entry Animal and Plant Quarantine Permits (for swine and swine product imports) for the two states.

2. All swine and swine products from New York and Ohio in the United States shipped on and after this date of announcement shall be returned or destroyed. Shipments of swine and swine products sent before this announcement shall be allowed to enter into China only after swine influenza (H1N1) tests prove that they are negative.
3. Forbid to send by post or carry by travelers any swine or swine products into China from the New York State and Ohio State in the United States. Once detected, all the swine and swine products shall be returned or destroyed.
4. Swine or swine products from the United States found onboard international transportation media such as ships, airplanes and trains, which transit or call at China, shall be sealed. On-board swine and pork consumed by crews themselves shall be put into unbroken containers. All transportation media from disease-infected areas shall be disinfected.
5. Illegal swine and swine products from the United States seized by the Chinese customs or port authorities shall be destroyed under the supervision of the Entry-Exit Inspection and Quarantine Bureau (CIQs) at entry ports.
6. Violators of the above-mentioned regulations shall be dealt with by the Entry-Exit Inspection and Quarantine Bureau(s) based on the Law of the People's Republic of China on Entry and Exit Animal and Plant Quarantine.
7. All Entry-Exit Inspection and Quarantine Bureau(s), animal disease prevention and control authorities at various levels, and animal disease supervision authorities shall coordinate closely, based on the Law of the People's Republic of China on Entry-Exit Animal and Plant Quarantine, and the Law of the People's Republic of China on Animal Disease Prevention, in order to do a good job in the supervision of (animal) quarantine and (animal) disease prevention.
8. This announcement becomes effective on this very date of announcement. In the future, if new cases of human swine influenza are found in other states in the United States, newly infected states will be automatically included in the list of swine and swine product bans.

END TRANSLATION